1 UNITED STATES DISTRICT COURT 2 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 3 SMARTSHEET, INC., 4 No. 2:22-cv-00314-SKV NOTICE OF DISMISSAL OF NORTH 5 Plaintiff, AMERICAN SPECIALTY INSURANCE **COMPANY WITHOUT PREJUDICE** 6 VS. **PURSUANT TO 41(a)(1)(A)(i)** FEDERAL INSURANCE COMPANY, et al. 7 8 Defendants. 9 Plaintiff, Smartsheet, Inc. ("Smartsheet") hereby files this notice of dismissal of 10 Defendant, North American Specialty Insurance Company ("North American"), without 11 12 prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).¹ 13 DATED: February 7, 2023 14 MILLER NASH MILLER FRIEL PLLC 15 By: *s/K. Michael Fandel* By: *s/Bernard P. Bell* 16 K. Michael Fandel, WSBA No. 16281 Bernard P. Bell (admitted *Pro Hac Vice*) Pier 70 – 2801 Alaskan Way, Suite 300 Benjamin W. Massarsky (admitted *Pro Hac* 17 Seattle, WA 98121 Vice) 2445 M Street NW, Suite 910 Tel: (206) 624-8300 18 Fax: (206) 340-9599 Washington, DC 20037 19 Tel: (202) 760-3160 Email: Michael.Fandel@millernash.com Email: bellb@millerfriel.com 20 Attorney for Plaintiff Smartsheet, Inc. massarskyb@millerfriel.com 21 Attorneys for Plaintiff Smartsheet, Inc. 22 23 24 ¹ Pursuant to an April 22, 2022 signed stipulation, Smartsheet agreed to dismiss North American, without prejudice, from the above-entitled action. On April 25, 2022, Smartsheet filed a Stipulated (proposed) Order of Dismissal 25 Without Prejudice in this action. See ECF. No. 30. Heretofore, the proposed order has not been signed by the Court. Nevertheless, North American has neither answered, nor moved for summary judgment in this action.